

SCOTT M. MATHESON
Governor



OIL, GAS, AND MINING BOARD

GORDON E. HARMSTON
Executive Director,
NATURAL RESOURCES

STATE OF UTAH

DEPARTMENT OF NATURAL RESOURCES

DIVISION OF OIL, GAS, AND MINING

1588 West North Temple
Salt Lake City, Utah 84116
(801) 533-5771

CHARLES R. HENDERSON
Chairman

JOHN L. BELL
C. RAY JUVELIN
THADIS W. BOX
MAXILIAN A. FARBMAN
EDWARD T. BECK
E. STEELE McINTYRE

CLEON B. FEIGHT
Director

June 15, 1981

Mr. Leo Lemay
Diatex, Inc.
317-17 Avenue, N.E.
Calgary, Alberta, Canada
T2E 6P6

RE: Initial Adequacy Review
Damian Poorboy Mine
ACT/019/011
Grand County, Utah

Dear Mr. Lemay:

The Division's technical staff has completed the review of Diatex's Poorboy Mine Plan submission and noted the following deficiencies.

LEGAL FINANCIAL

The applicant should request a predesign conference with the Division of Environmental Health, Mr. Dennis Dalley, to make sure that the mine operation will have all permits required by the State of Utah. The applicant should also contact the Division of Water Rights concerning water used or show that the water is approved for mining use and the applicant has the water right. The Division of Water Rights, Dam Safety must also approve the tailings dams (Rule M-3).

The applicant does not indicate if the other owners of record have been notified in writing, Mine Reclamation Form 1, Item 11a. The applicant should indicate why this has not been done or why this is not necessary. The applicant should provide documentation of the joint venture to show legal right-of-entry. Any owners of record that will be affected by the operations must be notified. (Mine Reclamation Form 1, Item 11a)

The applicant has indicated 50 acres of total land effected. Existing maps only show 13.2 acres delineated. (Mine Reclamation Form 1, Item 13)

Mr. Leo Lemay
June 15, 1981
Page 2

Maps and Plans

The Maps and Plans provided by the applicant show the mining claims delineated on a map, the disturbed area on another, and the tailings area in full on another. The applicant must provide one map that delineates the following:

- a. Legal boundaries such as section or quarter section lines.
- b. Legal boundaries of the mining claims that encompass the proposed disturbed area of mining to be permitted.
- c. The boundaries of the total disturbed area which includes all areas needed for the operation, similar to what already is provided.
- d. All names and locations of rivers, streams, creeks, springs, roads, transmission lines, pipelines, drill holes etc. as required by Rule M-3(d).
- e. All names of surface owners and mineral owners
- f. Topographic contours on at least 40 feet intervals.
- g. The locations of topsoil storage, overburden disposal sites, sedimentation ponds, impoundments, etc.

EFFLUENT CONTROL

Pursuant to Rule M-10(11) and M(3)(e) & (n), the applicant must provide means where necessary by which on-site erosion and sediment losses will be controlled, thereby minimizing any negative impacts to the hydrologic system. The plan should include: maps depicting the surface configurations and drainage structures; a narrative describing the methods to be utilized for drainage control; and descriptions of how the drainage control will be implemented. Some suggested methods may include: sediment detention basins, diversions, berming, vegetative filters and straw filters and silt fences.

The applicant does not address what contaminants, if any, will be added to the processing water during operations. The applicant should provide a sample program for any discharges off-site. Any point source discharges off site will require: an N.P.D.E.S. permit; a copy of any discharge permits submitted to the Division; and discharge points designated on a drainage map. Diversion points for water appropriation should also be depicted on a map.

OPERATION PLAN/SITE CONSTRUCTION

Pursuant to Rule M-3(3), the applicant must describe the general details of the method proposed for mining.

The applicant should indicate what is meant by a 140 day run operation. The applicant should indicate the disturbed area per year that will be affected by mining operations. The applicant should indicate what type of equipment will be used during the placer operation and describe the material handling for processing.

Pursuant to Rule M-3(2)(c), Rule M-10(14), and the Mine Reclamation Form 2, Item 1(d) and (c), the applicant must indicate prior surface disturbance where topsoils are no longer salvagable. Future mining disturbance of unaffected areas which may have materials suitable for root growth should be addressed for topsoil removal, segregation and stockpiling. The topsoil or root growth media should be segregated for stockpiling according to its ability to support vegetation as determined by soils analysis and/or practical revegetation experience. The topsoil must be protected in a manner to minimize or prevent wind or water erosion, unnecessary compaction and contamination by undesirable materials. Redistribution of topsoil or root growth material after final grading shall be accomplished in such a manner as to promote vegetation success.

Pursuant to Rule M-3(3)(h) and Rule M-10(11) the applicant should submit to the Division of Oil, Gas, and Mining a description of the enclosed system as an alternative method of processing the gravel material as requested by the Division of Environmental Health.

Pursuant to Rule M-3(2)(c), the applicant must provide evidence as to whether the tailings will be acid or toxic-producing (See definition Rule M-2(k)).

Pursuant to Rule M-3(2)(c), the applicant should include a method of placement and containment of all disturbed materials which may be toxic.

RECLAMATION PLAN

Pursuant to Rule M-3(2), the applicant should supply the Division with a detailed reclamation plan.

Pursuant to Rule M-3(2)(a), the applicant has indicated "mining" as a prior land use. The applicant should include prior land use before any mining activities on lands either presently affected and unaffected.

The applicant should reclaim the proposed disturbed lands in a condition which is capable of supporting a post mining use that is compatible with the probable land uses. The application should indicate previous pre-mining land use as above. (Rule M-10(1)).

Mr. Leo Lemay
June 15, 1981
Page 4

The applicant has indicated approximately 1% vegetative cover, however photographs and other mine permit applications in the area indicate a vegetative cover level of 50% may be more representative. The applicant should demonstrate percent cover with supportive data (Form 2, Item 4a and Rule M-10(12)).

Pursuant to Rule M-10(2), the applicant should address the disposal of trash, scrap metal, wood, abandoned buildings, extraneous debris and other materials incident to mining in a manner approved by the Division and in accordance with the rules and regulations of the Division of Health. The applicant should post signs at all points of public access to the mining operation, and use fence, if necessary, to protect the safety of the public, wildlife, and stock.

The applicant must address structure and equipment removal prior to regrading (Rule M-10(9)).

The applicant indicates that areas will be reclaimed and leveled to original formations on Form MR 2, Section 3. under Testing. The applicant should include procedures and methods for stabilization and regrading as required by Rule M-3(2)(d). The applicant should provide a map and/or cross-sections to indicate the post-mining reclaimed topography proposed for the disturbed area.

The applicant should indicate methods that will be used for covering, backfilling and regrading. The applicant should address reclamation procedures for roads and pads including adequate surface drainage. The applicant should address and structures proposed to remain following reclamation and that these structures are needed for continued use after the mining operation. The applicant should indicate that any highwalls left as a result of the mining operation will be reclaimed to be stable, not present a safety hazard and be compatible with the future land use. The applicant should state whether any highwalls will be left following reclamation.

The applicant should commit to reclamation of any tailings ponds pursuant to Rule M-10(13). The tailing system proposed has not been approved by the Department of Environmental Health, and the applicant should submit detailed reclamation plans to the Division addressing the proposed alternative.

The applicant must submit topsoil distribution plans (Mine Reclamation Form 2, Item 10). The applicant should provide method of topsoil spreading, the approximate thickness of topsoil and a description of surface preparation.

REVEGETATION PLANS

The applicant should indicate the methods in detail for revegetation practices upon final reclamation.

Mr. Leo Lemay
June 15, 1981
Page 5

The applicant should include a description of soil treatments required to aid in revegetation if, in fact, these treatments are necessary (Mine Reclamation Form 2). If not, the applicant should indicate growth potential of the proposed topsoil material as a result of chemical and physical analysis.

The applicant should include surface land treatments proposed to be used for reclamation. These may consist of the following: scarifying, mulching, fertilization, irrigation, chisle plowing, harrowing, and the introduction of soil microizing. The applicant should include a description of the methods proposed for testing soil to support vegetation and fertilization plans (Rule M-10(12)).

The applicant should indicate whether or not a mulch will be used during reclamation procedures. If proposed, the applicant must state the type of mulch and rate per acre (Mine Reclamation Form 2).

The applicant must provide a planting program as required by Rule M-3(2)(e) to revegetate the land affected. The applicant may provide a revegetation test plot plan as an alternative to a definitive revegetation plan. Plans for either test plots or revegetation must include a proposed schedule. If the applicant commits to test plot implementation, the plan must be described in detail.

The applicant should supply the regulatory authority with a description of the proposed seeding method and a justification of the seed mix as applicable to the area being reclaimed. The applicant should indicate the location, the aspect, the rate per acre of application in pure live seed, the species mix per location and the season to be planted.

The applicant may wish to consult the Division Reclamation Biologist to determine if irrigation methods are needed to establish vegetation.

The applicant should include a timetable for implementation of reclamation according to the applicants proposed procedures...This timetable should be consistent with the proposed mining plans for the excavation site disturbances and be included in a narrative and delineated on a map (Rule M-3(2)(f)).

RECLAMATION SURETY ESTIMATE

The applicant should provide the Division with a surety estimate based on the proposed reclamation plan including cleanup and removal of structures, grading and contouring, stabilization, labor, safety and fencing, and monitoring per Rule M-5 and the attached estimate form.

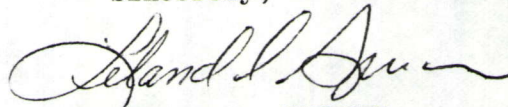
Mr. Leo Lemay
June 15, 1981
Page 6

STANDARD OF RECLAMATION SUCCESS

Pursuant to Rule M-10(12), the applicant should provide the Division with a narrative describing the inventory methods used to determine an estimated time frame for successful revegetation that achieves at least 70% of the representative vegetative communities surrounding the mine. These surrounding vegetative cover levels shall be determined by the operator using professionally accepted inventory methods and be approved by the Division. The vegetation initiated on the area affected should survive at least 3 growing seasons, be evenly distributed and not supported by irrigation or continuing soil amendments. Exceptions to Part 12 may be granted by the Division for areas which consist of solid rock outcrops if it is demonstrated by the operator that surficial soil does not exist for covering of these outcrops. Test plots established by the operator after consultation with the Division, shall demonstrate that all practicable land treatments have been attempted. If the applicant commits to the implementation of test plots, the methods and procedures for implementation of these plots should be resolved by the Division Reclamation Biologist prior to final approval.

Please feel free to contact the Division on any of these requirements for your mine plan. Following the submittal of this information, the Division will review the mine plan. If the Division finds the plans comply with The Mined Land Reclamation Act and The General Rules and Regulations and Rules of Practice and Procedure, your mine reclamation plan will be presented to the Board of Oil, Gas, and Mining for tentative approval. Once tentative approval is granted the Division can publish the Board's intention grant approval. After a 30 day public comment period and the posting of a surety, you may then be given final approval.

Sincerely,



LELAND C. SPENCER
RECLAMATION ENGINEER

LCS/JCH/te

DIVISION OF OIL, GAS, AND MINING
BOND ESTIMATE

OPERATOR:
MINE NAME:
LOCATION:
COUNTY:
DATE:

Operation	Amount	Rate	Cost
<p>A. CLEAN-UP</p> <ol style="list-style-type: none"> 1. Removal of structures & equipment. 2. Removal of trash & debris. 3. Leveling of ancillary facilities pads and access roads. 			
<p>B. REGRADING & RECONTOURING</p> <ol style="list-style-type: none"> 1. Earthwork including haulage and grading of spoils, waste and overburden. 2. Recontouring of highwalls and excavations. 3. Spreading of soil or surficial materials. 			
<p>C. STABILIZATION</p> <ol style="list-style-type: none"> 1. Soil preparation, scarification, fertilization, etc. 2. Seeding or planting. 3. Construction of terraces, waterbars, etc. 			
<p>D. LABOR</p> <ol style="list-style-type: none"> 1. Supervision. 2. Labor exclusive of bulldozer time. 			
<p>E. SAFETY</p> <ol style="list-style-type: none"> 1. Erection of fences, portal coverings, etc. 2. Removal or neutralization of explosive or hazardous materials. 			
<p>F. MONITORING</p> <ol style="list-style-type: none"> 1. Continuing or periodic monitoring, sampling & testing deemed necessary. 			
<p>G. OTHER</p>			